

U.S.S.N 10/658,834
Gantier *et al.*
PRELIMINARY AMENDMENT

REMARKS

Any fees that may be due in connection with this application throughout its pendency may be charged to Deposit Account No. 06-1050.

Claims 1-331 are pending in this application. Claims 1, 2, 5, 6, 13-15, 20, 23, 31, 33, 35, 39, 41-43, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 69, 71, 73, 75, 77, 78, 80, 82-85, 87, 88, 90, 91, 93, 94, 96, 97, 99-108, 111, 112, 114, 115, 117, 118, 120, 121, 123, 124, 126, 127, 129, 130, 132, 133, 135, 136, 138, 250, 258-260, 264, 266, 268, 271, 273, 278, 279, 281, 288, 290, 291, 302, 304, 306-309, 314, 315, 321, 324, and 328-331 are currently amended. The amendment to claim 31 replaces the word "cell" with "host". This amendment finds basis in claim 31, line 3 in which it is stated "...introducing a nucleic acid of claim 26 into a host...". Claim 33 is amended to clarify claim dependency. Claim 35 is amended to clarify claim dependency. Claim 35 currently depends upon claim 34, which depends upon claim 31 and further describes the host as a eukaryotic host cell. Claim 35 further describes the cytokine of claim 31. Hence, for the sake of clarity, claim 35 is amended to refer to the "...method of claim 31...". Claim 75 is amended to replace "IFN α - β " with "IFN β ". This amendment finds basis in the claim which points to SEQ ID NO: 196 as the cytokine. SEQ ID NO: 196 is the sequence for Interferon beta. Claim 258 is amended to correct the lettering of the elements further to claim 250, on which claim 258 depends. Claim 259 is amended to correct the lettering of the elements further to claim 258, on which claim 259 depends. Claim 260 is amended to change the case of the word "leads" to "LEADs". This amendment finds basis on page 18, line 25 of the specification where "LEADs" and "Candidate LEADs" are defined. Claim 264 is amended to correct claim dependency. Claim 250, which describes "candidate LEADs" does not have the proper antecedent basis for claim 264, which further describes "LEADs" and "super-LEADs". However, claim 258 describes "super-LEADs" and does have the proper antecedent basis for claim 264. Claim 302 is amended to correct claim dependency. Claim 291, which describes "candidate

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LEADs" does not have the proper antecedent basis for claim 302, which further describes "LEADs" and "super-LEADs". However, claim 296 describes "super-LEADs" and does have the proper antecedent basis for claim 302. Claims 306, 307 and 308 are amended to replace "IFN-2c" with "IFN α -2c". This amendment finds basis in the specification on page 86, line 4. Claim 315 is amended to correct claim dependency. Claim 315 further describes modified interferon alpha cytokines, but currently depends upon claim 309, which describes an interferon beta cytokine. Thus, claim 315 should depend upon claim 308, which describes interferon alpha cytokines.

All other claims are amended to correct minor typographical and spelling errors.

The amendments to the specification are to correct obvious typographical and spelling errors. The amendment on page 1, line 18, replaces the phrase which reads "...Attorney docket no. 37851-923..." with "...U.S. application Serial No. 10/658,355...". The amendment finds basis in the cited application which was filed on the same day as the present application and therefore no serial number was available at the time the present application was drafted and filed.

The amendment on page 41, line 17, replaces the phrase which reads "...Attorney docket no. 923..." with "...10/658,355...". The amendment finds basis in the referenced application which was filed on the same day as the present application and therefore no serial number was available at the time the present application was drafted and filed.

The amendment on page 75, line 1, replaces the phrase which reads "...decrease the viral activity..." with "...decrease the antiviral activity...". This amendment finds basis on page 3, lines 4-6 in which the "antiviral" effects of the Interferon alphas are defined.

The amendment on page 81, lines 27-28, replaces the phrase which reads "...<http://scop.mrc-lmb.cam.ac.uk/scop/>..." with "...scop.mrc-lmb.cam.ac.uk/scop/..." to remove the executable from the specification.

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The amendment on page 95, line 19, adds to the phrase "...(see, copending)..." the inadvertently omitted phrase which reads "...U.S. application Serial No. 10/658,355, filed the same day herewith, based on U.S. provisional application Serial Nos. 60/457,063 and 60/410,258)....". This amendment finds basis in the specification on page 41, lines 15-21 in which the copending application is identified.

The amendment on page 131, line 31, replaces the phrase which reads "...43 Mm..." with "...43 mM..." to reflect the appropriate abbreviation for millimolar concentration.

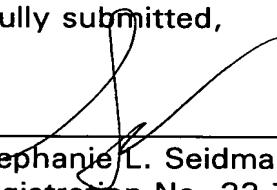
No new matter has been added to the specification.

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Entry of this amendment and examination of the application are respectfully requested.

Respectfully submitted,

By:


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